

account in Senate deposition testimony in late September 1997, and also reported that Babbitt had rhetorically asked Eckstein whether he knew the large amount of contributions made by Indian tribes – although Eckstein did not assert that he understood this latter comment to relate directly to the tribes that opposed the Hudson application. This confidential testimony was promptly reported in the news media. On Oct. 10, 1997, Babbitt wrote Sen. Thompson in anticipation of his testimony before Thompson’s committee with an apparent reversal of his earlier position, stating now that he did in fact invoke Ickes’s name with Eckstein, but that he never communicated with Ickes about the Hudson casino proposal.

The Senate Committee called Babbitt and Eckstein to testify on Oct. 30, 1997, about their meeting on July 14, 1995. In his testimony before the Senate Committee, Babbitt identified two key parts of the July 14 conversation with Eckstein on which he disagreed with Eckstein’s sworn statements. First, Babbitt disputed Eckstein’s recollection that Babbitt had said Ickes told him he wanted a decision “that day,” and asserted that he probably said that Ickes wanted a decision “promptly.”⁷⁸⁸ Second, Babbitt denied that he had told Eckstein that Ickes “told” or “instructed” him, but rather said that Ickes “wants” or “expects” a decision. This distinction was important to Babbitt,⁷⁸⁹ notwithstanding his acknowledgment that he did not recall the precise words he had

⁷⁸⁷(...continued)
infra.

⁷⁸⁸*See supra* at Section II.K.4. The critical distinction in Babbitt’s mind would seem to have been that the less explicit “promptly” would allow for the interpretation that Babbitt was telling Ickes simply that in general, the White House expected him to act expeditiously, while “that day” would have to imply a specific discussion with Ickes about the timing of the Hudson decision in particular.

⁷⁸⁹Here again, the distinction was important to Babbitt because his version – that he spoke
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